M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JUNE 11, 1996

1. CALL TO ORDER

Mayor William D. Arthur called the meeting to order in Council Chambers at City Hall, 1065 Ridgewood Avenue at 7:30 p.m..

Answering roll call were Mayor Arthur, Councilman Arthur Byrnes, Councilman J. D. Mellette, Councilman Shirley Heyman and Councilman Jim Elliott.

Also attending were City Manager Donald Lusk, City Attorney Edward Simpson, Cpl. Jay Martin, and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Councilman Elliott.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CONSENT AGENDA

A. Approval of Minutes - Regular and Workshop Meetings, May 28, 1996
B. Bills and Accounts

Councilman Elliott moved to APPROVE the Consent Agenda as corrected being seconded by Councilman Mellette . The motion CARRIED 5-0 on roll call.

PRESENTATION OF COMMENDATION

Mayor Arthur presented Officer Forrest Currie with a commendation on behalf of the City Council and citizens of Holly Hill for his outstanding job performance in apprehending a murder suspect.

5. AUDIENCE PARTICIPATION

Mr. Randal James of Hibiscus Avenue complained because the All Star uniforms did not match. He mentioned the parents had purchased the pants and socks in Orlando. He also wanted to know if the City is prepared to help with travel expenses if the team wins and gets to go to Pensacola. Council agreed to participate to the same extent they did last year.

Mr. James also complained about a burned house in the neighborhood and the fact that the Code Enforcement Officer hasn't done anything about it. He said they filled one dumpster but there has been no activity since then and the neighbors have been catching rats.

Mr. Harbuck said if Mr. James had come to his office or called he could have told him that notices have been sent but that these things take time because of the mortgage holders and insurance claims.

Mr. Harold O'Brien, 1225 Powers Avenue complained about flooding at his home and Rev. Fussel's home and the fact the City hasn't done anything about the problem. Public Works Director Milt Hallman told him he had created his own problem and the neighbors should be after him because of the water he puts on their property.

Mr. Hallman told Council they could spend $92,000 to fix this problem but it wasn't feasible because it isn't cost effective in his opinion. From here the conversation centered around the heavy rains received today and the fact that several flood prone areas did not flood which was an improvement over the past times the City has received heavy rainfall.

6. PROCLAMATION CALLING FOR A SPECIAL ELECTION SEPTEMBER 3, 1996 RE: TAX INCREASE FOR RENOVATIONS AT OLD SCHOOL

City Attorney Simpson read the Proclamation calling a special election as follows:

PROCLAMATION
DECLARING
SPECIAL ELECTION

WHEREAS, the City Council of the City of Holly Hill is required by Charter Section 142 to call all General and Special elections by Proclamation;

WHEREAS, the school building complex located adjacent to City Hall is in need of repair or demolition.

WHEREAS, due to the significant cost of repair the City Council has determined to allow the citizens to determine, at a special election, whether or not property taxes should be increased to fund the repair of the school building complex.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOLLY HILL, FLORIDA, DOES HEREBY PROCLAIM THE FOLLOWING:

1) The Special Election for the City of Holly Hill, Florida shall be held on September 3, 1996.

2) The question to be decided shall appear on the ballot in the following form:
Shall the City of Holly Hill increase property taxes by 1.1 mills for two years to finance the cost of repairing the school building complex located immediately South of City Hall. If a majority of the votes cast is no, the structure will be demolished.

____ Yes - For increased millage rate for repair.
____ No - Against increased millage rate for repair.

3) The following locations are designated as voting places for the purpose of this election and shall be opened at 7:00 a.m. on the date of the election and shall be kept open until 7:00 p.m. on the same day:

Ward 1 (529) Holly Hill Youth Center
Ward 2 (528) 1025 Hartford Avenue
Holly Hill, Florida

Ward 3 (527) Sica Hall
Ward 4 (526) 1065 Daytona Avenue
Holly Hill, Florida

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Holly Hill, Florida to be affixed this 11th day of June, 1996.

City Manager Lusk said the Finance Director told him if the citizens approved the additional millage, it would cost the owner of a $50,000 home approximately $27.50 a year in additional taxes. This is with a $25,000 homestead exemption.

Councilman Elliott moved to APPROVE the Proclamation calling the special election being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

7. ORDINANCE NO. 2429 - REQUEST BY D & W PAVING TO REZONE PROPERTY FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) AND R-3 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO I-2 (HEAVY INDUSTRIAL DISTRICT) (ORDINANCE NO. 2429 - FIRST READING)

City Attorney Simpson read:

ORDINANCE NO. 2429

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY REZONING APPROXIMATELY 0.7 ACRE LOCATED ON THE NORTH SIDE OF 3RD STREET EAST AND WEST OF SUNSET DRIVE, FROM R-3, SINGLE-FAMILY RESIDENTIAL DISTRICT, AND CC-1, COMMERCIAL CORRIDOR DISTRICT, TO I-2 HEAVY INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilman Mellette moved to APPROVE the ordinance on first reading being seconded by Councilman Heyman . The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Heyman, yes; Elliott, yes; Byrnes, yes; Arthur, yes.

8. ORDINANCE NO. 2430 - AMENDS LAND DEVELOPMENT REGULATIONS - DEFINITION OF A KENNEL

City Attorney Simpson read:

ORDINANCE NO.2430
AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALING THE CURRENT DEFINITION OF THE TERM "KENNEL" AND READOPTING THE PREVIOUS DEFINITION OF THE TERM AS DEFINED IN SECTION 5-1 OF THE 1984 CODE OF ORDINANCES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Following a brief discussion, *Councilman Mellette moved to APPROVE the ordinance on first reading being seconded by Councilman Heyman . The motion CARRIED 3-2 on the following roll call:*

Mellette, yes; Heyman, yes; Byrnes, no; Elliott, no; Arthur, yes.

After roll call, City Manager Lusk said he didn't like to see the Council split on votes like this. He asked what it would take to get the two dissenting members to vote in favor of the ordinance. Mr. Byrnes said he remembered there was a lengthy discussion when this was brought to Council and he did not feel citizens should be limited to two pets. Animal Control Officer Bob Foster said he only enforced the ordinance on dogs because he didn't count cats as they kind of look after themselves. He said people don't complain about cats only dogs.

Mr. Lusk told Council he would try to work something out before the next reading that each member could support. Council agreed.

9. RESOLUTION NO. 29 - APPOINTING AN ALTERNATE TO THE BOARD OF PLANNING AND APPEALS

City Attorney Simpson read:

RESOLUTION NO. 96-R-29
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE (1) ALTERNATE MEMBER TO SERVE ON THE BOARD OF PLANNING AND APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Simpson said the name in the body of the resolution is Frances Mobley.

Councilman Elliott moved to ADOPT the Resolution being seconded by Councilman Mellette . The motion CARRIED 5-0 on the following roll call.

Elliott, yes; Mellette, yes; Heyman, yes; Byrnes, yes; Arthur, yes.

10. RESOLUTION NO. 31 - SUPPORTING VCOG INVOLVEMENT IN BEACH MANAGEMENT ISSUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Simpson read:

RESOLUTION NO. 96-R-31
A RESOLUTION EXPRESSING SUPPORT FOR THE INVOLVEMENT OF THE VOLUSIA COUNCIL OF GOVERNMENTS IN BEACH MANAGEMENT ISSUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Byrnes spoke briefly in favor of the resolution. He expressed concern with the way the County is governing the beach and handling the parking problems.

Councilman Byrnes moved to ADOPT the Resolution being seconded by Councilman Elliott . The motion CARRIED 5-0 on the following roll call:

Byrnes, yes; Elliott, yes; Heyman, yes; Mellette, yes; Arthur, yes.

11. RESOLUTION NO. 32 - APPOINTING THREE MEMBERS TO THE REDEVELOPMENT BOARD

City Attorney Simpson read:

RESOLUTION NO. 96-R-32
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING THREE MEMBERS TO SERVE ON THE REDEVELOPMENT ADVISORY BOARD FOR THE CITY OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

He said the resolution contains the names of Dave Rusler, David Spearin, and Mark Barr and that this is a reappointment of these three men for three year terms.

Councilman Mellette moved to ADOPT the Resolution being seconded by Councilman Elliott . The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Elliott, yes; Byrnes, yes; Heyman, yes; Arthur, yes.

12. RESOLUTION NO. 33 - APPOINTING A MEMBER TO THE BEAUTIFICATION BOARD

City Attorney Simpson read:

RESOLUTION NO. 96-R-33
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE BEAUTIFICATION ADVISORY BOARD FOR THE CITY OF HOLLY HILL, FLORIDA, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette said both of the people he had been talking to backed out so he would like to TABLE the resolution. He also stated if anyone knew of someone interested in serving on the Board, he would appreciate them giving him a call. Mr. Hallman said he might have a name and would talk to Mr. Mellette.

Councilman Mellette moved to TABLE the Resolution being seconded by Councilman Byrnes . The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Byrnes, yes; Heyman, yes; Elliott, yes; Arthur, yes.

13. RESOLUTION NO. 34 - APPOINTING A MEMBER TO THE LIBRARY/YOUTH BOARD

City Attorney Simpson read:

RESOLUTION NO. 96-R-34
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE LIBRARY AND YOUTH CENTER BOARD FOR THE CITY OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The name contained in the resolution is Valiera Tacker who is a retired teacher.

Councilman Mellette moved to ADOPT the Resolution being seconded by Councilman Elliott . The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Elliott, yes; Byrnes, yes; Heyman, yes; Arthur, yes.

14. RESOLUTION NO. 35 - AUTHORIZES THE CITY TO SPEND UP TO $300 ON CDBG REHABILITATION PROJECTS

City Attorney Simpson read:

RESOLUTION NO. 96-R-35
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING GUIDELINES FOR THE CITY TO EXPEND MONEY TO ASSIST THE RESTORATION OF RESIDENCES FOR THE ECONOMICALLY DISADVANTAGED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Heyman moved to ADOPT the Resolution being seconded by Councilman Elliott. The motion CARRIED 5-0 on the following roll call:

Heyman, yes; Elliott, yes; Byrnes, yes; Mellette, yes; Arthur, yes.

15. RESOLUTION NO. 36 - RECONNECT FEE FOR WATER SERVICE WHICH HAS BEEN DISCONNECTED FOR NON-PAYMENT

City Attorney Simpson read:

RESOLUTION NO. 96-R-36
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING A RECONNECT FEE IN THE EVENT WATER SERVICE HAS BEEN DISCONNECTED FOR NONPAYMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Manager Lusk said the two things this resolution changse are that the City will no longer go out on overtime and turn water back on. The deadline for having water turned on will be 4:00 p.m. and the other change is that the fee will go to $30 if the account has been disconnected for non-payment more than once in a twelve month period.

Councilman Byrnes said he expected a three tier fee structure. Mr. Lusk assured him this would cover expenses since there would not be any overtime involved.

Councilman Byrnes moved to ADOPT the Resolution being seconded by Councilman Mellette . The motion CARRIED 5-0 on the following roll call:

Byrnes, yes; Mellette, yes; Heyman, Elliott, yes; Arthur, yes.

16. REQUEST PERMISSION TO PURCHASE DRAINAGE CULVERTS FOR STOCK ON VOLUSIA COUNTY BID

Public Works Director Milt Hallman told Council he wanted to purchase stock (to replace broken culverts and to put in new culverts) which will cost $11,739.05 and will be purchased through a Volusia County bid.

Councilman Mellette moved to APPROVE the request being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

17. REQUEST PERMISSION TO HAVE A SEWER REHABILITATION STUDY MADE OF THE CITY BY CONSULTING ENGINEER QUENTIN L. HAMPTON ASSOCIATES, INC.

Quentin L. Hampton President Rick Fernandez addressed Council regarding the City's chances of qualifying for a low rate twenty year loan from the State. He explained the whole City probably wouldn't qualify but he could tell more about the infiltration and inflow after the study is complete and could give Council and staff more indepth information at that time.

Council agreed with the need for the study and Mr. Hallman told them the cost would be between $19,000 and $20,000.

Councilman Mellette moved to APPROVE the sewer rehab study being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

18. REQUEST APPROVAL OF PROPOSAL FOR ENGINEERING SERVICES TO UPDATE THE WATER BASE MAP WITH UTILITIES LOCATIONS

Mr. Hallman said the City needs a map because they are working with small pieces of paper and everyone's best guess. He said Russell & Axon originally had the maps and when they closed shop they probably went to the landfill. The cost of the map is approximately $3,000.

Councilman Heyman moved to APPROVE the request being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

19. COMMUNICATIONS FROM CITY MANAGER

Mr. Lusk informed Council the City has closed (sold) on the lot on Riverside Drive and that he has informed the contractor to start with the additional paving.

20. COMMUNICATIONS FROM CITY ATTORNEY

None.

21. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Mayor Arthur reiterated the fine job done by Officer Forrest Currie and said he was sorry the recognition was late.

There were no further communications from Council.

22. ADJOURNMENT

There was no further business to come before Council so the meeting was adjourned at approximately 8:40 p.m.

____
Mayor

ATTEST:

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City Clerk-Manager